

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12-CR-00172-RJC

USA

v.

CLIFTON NELSON

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ORDER

THIS MATTER is before the Court upon the second motion of the defendant pro se for a reduction of sentence based on retroactive amendments to the United States Sentencing Guidelines regarding drug offenses. (Doc. No. 52).

The Court denied the previous motion seeking the benefit of Amendment 782 because the defendant's sentence was determined by the Career Offender guideline, which was not affected by the amendment. (Doc. No. 43: Order). In the instant motion, the defendant asserts that guideline no longer applies to him, but the Court has denied his collateral attack of his sentence on that basis. (Doc. No. 52: Order). Accordingly, the defendant is not eligible for a sentence reduction under 18 U.S.C. § 3582(c)(2).

IT IS, THEREFORE, ORDERED that the defendant's motion, (Doc. No. 39), is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant and the United States Attorney.

Signed: December 7, 2022



Robert J. Conrad, Jr.
United States District Judge

